

Order

Michigan Supreme Court
Lansing, Michigan

October 1, 2010

Marilyn Kelly,
Chief Justice

140359(24)

Michael F. Cavanagh
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway
Alton Thomas Davis,
Justices

KARLA ONDRUS Guardian and Conservator
for ANDY ONDRUS, a Protected Person, and
all others similarly situated,
Plaintiff-Appellee,

v

SC: 140359
COA: 293373
Macomb CC: 2008-004408-NF

CITIZENS INSURANCE COMPANY,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's May 21, 2010 order is considered, and it is DENIED, because it does not appear that the order was entered erroneously.

CORRIGAN, J. (*dissenting*).

For the reasons stated in Justice MARKMAN's dissent to this Court's May 21, 2010, order denying leave, I would grant defendant's motion for reconsideration and direct the trial court to reconsider its decision certifying the plaintiff class in light of this Court's decision in *Henry v Dow Chemical Co*, 484 Mich 483 (2009).

MARKMAN, J. (*dissenting*).

I would grant reconsideration and remand to the trial court for class certification proceedings for the reasons set forth in my dissenting statement in this case, 486 Mich 925 (May 21, 2010).

YOUNG, J., joins the statements of CORRIGAN, J., and MARKMAN, J.



d0928

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 1, 2010

Corbin R. Davis

Clerk